

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

RUSSELL LEE,)	
Plaintiff,)	
)	
v.)	No. 3:11-CV-282
)	(JORDAN/SHIRLEY)
)	
SEVENSON ENVIRONMENTAL)	
SERVICES, INC.,)	
Defendant,)	
)	
v.)	
)	
ST. PAUL NAVIGATION, INC. d/b/a)	
MARINE INLAND FABRICATORS and)	
SISCO MARINE, LLC d/b/a MARINE)	
INLAND FABRICATORS,)	
Third-Party Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, Standing Order 13-02, and the referral of the District Judge. Now before the Court is the parties' Joint Motion for Leave to Use Retired United States Magistrate Judge C. Cleveland Gambill as the Mediator in this Case [Doc. 70]. For the reasons stated herein, the Joint Motion will be **GRANTED**.

Local Rule 16.3 requires that the Court shall approve the persons who serve as mediators in cases pending in the Eastern District of Tennessee. See E.D. Tenn. L.R. 16.4(c). The Eastern District of Tennessee has established certain qualifications for persons who mediate cases in this District, see E.D. Tenn. L.R. 16.4(k), and generally, it is expected that the parties will select a mediator from the list of persons who the Court has deemed to have met these qualifications, see

E.D. Tenn. L.R. 16.4(d). The undersigned is very familiar with the Federal Mediation Program and has previously served as the administrator of the Program.

In this case, the parties move the Court to allow them to use a mediator, who is not listed as a qualified mediator through the Eastern District of Tennessee's Federal Mediation Program. Specifically, they move the Court to allow retired United States Magistrate Judge C. Cleveland Gambill to mediate this case. In support of their request to use Magistrate Judge Gambill as a mediator, the parties cite the Court to his extensive experience with the Jones Act and the general maritime law, which are implicated in this case.

The Court has reviewed Magistrate Judge Gambill's lengthy and distinguished curriculum vitae, and the Court finds that Magistrate Judge Gambill is well-qualified to mediate the parties' claims. The Court finds that good cause exists for allowing the parties to engage Magistrate Judge Gambill as the mediator for this case, and accordingly, the Joint Motion for Leave [Doc. 70] is **GRANTED**. Magistrate Judge Gambill – or counsel for the parties, on behalf of Magistrate Judge Gambill – **SHALL FILE** a report of mediation complying with the requirements of Local Rule 16.4(m) on or before **August 16, 2013**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge